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Assistant Commissioner for Patents
Washington, D.C. 20231 On July 1, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Kimberly Badie

Kimberly Badie

PATENT
Attorney Docket No.: 20460-001000
Client Ref. No.: 220.09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SIRHAN, Motasim et al.

Application No.: 10/017,500

Filed: December 14, 2001

For: APPARATUS AND METHODS
FOR VARIABLY
CONTROLLED SUBSTANCE
DELIVERY FROM IMPLANTED
PROSTHESES

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Sir:

Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

Applicants have amended the specification so that it correctly references the domestic priority data. Specifically, this application is now a continuation-in-part of and claims the benefit of Non-Provisional Application 10/002,595, filed November 1, 2001, as reflected by the Preliminary Amendment filed herewith. As such, the DOMESTIC PRIORITY DATA AS CLAIMED BY APPLICANT should read as follows:

THIS APPLICATION IS A CIP OF 10/002,595 11/01/2001

Examiner: Unassigned

Art Unit: 3762

**REQUEST FOR CORRECTED FILING
RECEIPT**

RECEIPT

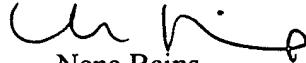
AUG - 6 2002

TECHNOLOGY C...

PATENT

The correction is due to applicant's error and the fee therefor, pursuant to 37 CFR §1.19(h), of \$25.00 is to be charged to Deposit Account No. 20-1430. Please charge any additional fees or credit overpayment to the Deposit Account No. 20-1430.

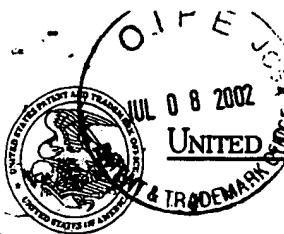
Respectfully submitted,



Nena Bains
Reg. No. 47,400

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200 Fax: (415) 576-0300
Enclosure: Copy of Filing Receipt

NB:kab
PA 3232587 v2



UNITED STATES PATENT AND TRADEMARK OFFICE

020460-001000US UMH
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/017,500	12/14/2001	3762	0.00	020460-001000US	35	112	18

CONFIRMATION NO. 5626

20350
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

FILING RECEIPT



OC000000007832719

Date Mailed: 04/09/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Motasim Sirhan, Sunnyvale, CA;
John Yan, Los Gatos, CA;

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AUG - 6 2002

TECHNCI

Assignment For Published Patent Application

AVANATEC VASCULAR CORPORATION, San Jose, CA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 10/002,595 11/1/2001

Foreign Applications

If Required, Foreign Filing License Granted 04/09/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Apparatus and methods for variably controlled substance delivery from implanted prostheses

Preliminary Class

604

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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PTO/SB/17 (11-01)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEES TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

The Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **25**

Complete if Known

Application Number	10/017,500
Filing Date	December 14, 2001
First Named Inventor	SIRHAN, MOTASIM
Examiner Name	Unassigned
Group Art Unit	3762
RECEIVED	
AUG - 6 2002	
TECHNOLOGY CENTER R3700	

Attorney Docket No. 020460-001000US

METHOD OF PAYMENT (check all that apply)

Check Credit Card MoneyOrder Other None

Deposit Account:

Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and
Crew LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity
--------------	--------------

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20**	=	Extra Claims	Fee from below	Fee Paid
Independent Claims			-3**	=	
Multiple Dependent				X	=

Large Entity	Small Entity
--------------	--------------

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity
--------------	--------------

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive – unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					Request For 25

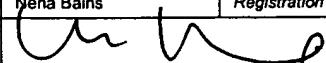
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$25)

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Nena Bains	Registration No. (Attorney/Agent)	47,400	Telephone	650-326-2400
Signature					Date
					July 1, 2002

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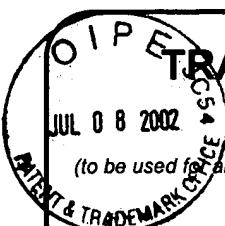
PTO/SB/21 (08-00)

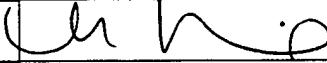
Please type a plus sign (+) inside this box →

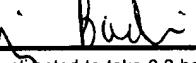
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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 TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>		Application Number 10/017,500 Filing Date December 14, 2001 First Named Inventor SIRHAN, MOTASIM Group Art Unit 3762 Examiner Name Unassigned
Total Number of Pages in This Submission	11	Attorney Docket Number 020460-001000US

ENCLOSURES (check all that apply)				
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <small>Preliminary Amendment; Request for Corrected Filing Receipt; Redlined Copy of Filing Receipt; Supplemental ADS; and Return Postcard</small>		
		Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	
		RECEIVED		
		AUG - 6 2002		
		TECHNOLOGY CENTER 13-3		
		SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
		Firm and Individual name	Townsend and Townsend and Crew LLP Nena Bains	
			Reg. No. 47,400	
		Signature		
		Date	July 1, 2002	

CERTIFICATE OF MAILING		
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July 1, 2002		
Typed or printed name	Kimberly Badiel	
Signature		Date
	July 1, 2002	

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